9.7.3-98

G. R. S. IX-5]

Previous references.

1898-99

~~191~~

(Courts.)

File No. 1918

Serial Nos. 1 – 2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—2.

M. ~~Part~~ B for Feb, 1899.

SUBJECT.

Memorial of prisoner Venkata under sentence of death.

Commutation of sentence

Indexed

Dn

W D 88—GPB—50,000—24-7-16

(2)

NOTE.

Memorial to Her Highness the Maharani Regent, from condemned prisoner Venkata.

The accused was on terms of criminal intimacy with the deceased Nagamma, a married woman who was living with her two little daughters at Kortegere while her husband the 7th witness was residing at Gubbi. As usual he went to her house and slept there with her on the night of the 22d June last. At midnight the elder of the deceased's daughters aged 10 or 11 heard a noise in the room where they slept. She called her mother but no answer came. She found the woman missing. She ran to her maternal uncle and reported the matter to him. The deceased was found lying dead in the backyard The Deputy Amildar repaired to the spot at once. The post mortem disclosed the fact that death was due to violence, viz, suffocation. The deceased's jewels, cash &c., had all been carried away. Suspicion at once fell upon the accused who however had decamped from the place.

There is evidence to show that the accused after leaving the house of the deceased went first to his father's house where he called for some water to quench his thirst, then to his field where in a shed and in a straw stack he concealed the deceased's property and lastly to

Submitted to Her Highness the Maharani Regent together with the Record & the Draft underneath rejecting the Memorial. The Case is a clear one and there are no grounds for any interference with the Sentence of Death.

8 Feb 99.

Submitted
10-2-99

Returned by Her Highness
Signed - 13-2-99

Spare at once (Postal) C.
17-2-99.

Tumkur and other places where he hid himself for a few weeks. He returned stealthily to Kortegere on the night of the 28th July last and was at once arrested. On the 5th of August he made a confession before the Amildar Magistrate of Tumkur. His deposition before the committing Magistrate though purporting to be a retraction of the above confession nevertheless contains certain admissions indicative of his guilt. Nearly the whole of the deceased's property was pointed out in the said shed and straw stack by the accused's father on 3d July. It is quite possible that the father aided and abetted the son either in the perpetration of the crime or in the concealment of the property in question. However that may be, the case against the accused was conclusively established both by direct and circumstantial evidence and by his own confession statement and conduct, the motive for the commission of the crime being a desire to become possessed of the deceased's movable property.

The accused's story that there was grave and sudden provocation is wholly improbable and was rightly discredited by the Chief Court before which an attempt was made to obtain a mitigation of punishment on the ground that the confession should be taken as a whole.

4.

(3)

In the Matter of a Memorial from Venkata accused in Trunkin Sessions Case No 9 of 1898-99 and appellant in Criminal Appeal No 55 of 1898-99 praying that the sentence of death passed upon him (on a charge of murder) by the Sessions Court (Mr Justice T. Nanabari Rao 4th Judge) and confirmed in appeal by the Chief Court may be set aside.

Her Highness the Maharani-Regent

has been pleased to pass the following

Order.

There are no grounds for any interference with the Sentence of Death passed upon the memorialist by the Sessions Judge and Confirmed on appeal by the Chief Court, and the Memorial is accordingly rejected

Kempanarjunnani

12-2-99

K Sheshadrigar
8.2.99.

(General Serial No. 30.)

(81)

OFFICE OF THE CHIEF COMMR. OF MYSORE.
4 FEB. 99

660 S 1898/99 J96

From The Superintendent of the Chief Court, Bangalore

To The Secretary to the Govt of Bangalore

Dated 28th Jany/99

Despatched 3rd Feby/99

Received

Enclosures No. two

General No. 4874

No. 190

Forwards for disposal the accompanying memorial addressed to Her Highness the Maharani Regent, preferred by Venkatesa, accused in Lunkar Lepirous case No 9 of 1898-99 & appellant in Cr A No. 55/98-99 on the file of the Chief Court—

Jud 4.2.99

Submd to Secy 4/2/99

Submd
4/2

No. 4854 Jud. Misc.
1899

(1)

Bangalore, 28th January 1899.

From

The Registrar of the
Chief Court of Mysore.

To

The Secretary to the
Government of Mysore,
General and Revenue Depts.

Sir,

I am directed to foward, for disposal, the accompanying memorial, with its English Translation, addressed to Her Highness the Maharani Regent, preferred by Venkata, accused in Tumkur Sessions Case No. 9 of 1898-99 and appellant in Criminal Appeal No. 55 of 1898-99, on the file of this Court, together with the records in the said cases.

2. The Superintendent of the Central

Central Jail, Bangalore, has been directed to stay execution of the sentence of death passed upon the said accused and appellant Venkata, pending disposal of this memorial.

I have the honor to be,
Sir,
Your most obedient servant,

Registrar.

Encl to 881

In the Chief Court of Mysore.

Crl. appeal No: 55 of 1898-99.
in the Chief Court of Mysore.

Condemned prisoner Venkata begs to submit the following memorial:—

I appealed against the sentence of condemnation passed against me in the Chief Court, as it was unjust, and I am in receipt of the order of the Chief Court confirming the sentence - Therefore I beg to submit as follows:—

I did not commit murder. I have been unjustly punished. The police tortured me very much and tutored me to say that I committed murder. I said so as I could not bear their torture. This is all. I know nothing personally.

I beg that the Honorable Court may spare my life

D/26-1-99

Mark of Venkata

Seal & Sign

ಸೇವೆಯಲ್ಲಿ

ಮಾನ್ಯರೇ,

ವಿಷಯ: ಸಂಬಳ ಸಹಿತ ರಜೆ ಮಂಜೂರು ಮಾಡುವ ಬಗ್ಗೆ.

ನಾನು ಈ ಕೆಳಕಂಡಂತೆ ನಿವೇದಿಸಿಕೊಳ್ಳುವುದೇನೆಂದರೆ:—

ನಾನು ಕಳೆದ ೧೫ ವರ್ಷಗಳಿಂದ ನಿಮ್ಮ ಸಂಸ್ಥೆಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದೇನೆ. ಈ ಸಂಸ್ಥೆಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುವ ಎಲ್ಲಾ ಸಿಬ್ಬಂದಿಗಳಿಗೂ ಸಂಬಳ ಸಹಿತ ರಜೆಯನ್ನು ಮಂಜೂರು ಮಾಡಲಾಗುತ್ತಿದೆ. ಆದರೆ ನನಗೆ ಇಲ್ಲಿಯವರೆಗೂ ಸಂಬಳ ಸಹಿತ ರಜೆಯನ್ನು ಮಂಜೂರು ಮಾಡಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ನನಗೆ ಸಂಬಳ ಸಹಿತ ರಜೆಯನ್ನು ಮಂಜೂರು ಮಾಡಬೇಕಾಗಿ ಕೋರಿಕೊಳ್ಳುತ್ತೇನೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ಸಹಿ/-

ಹೆಸರು

ವಿಳಾಸ

26.1.99

812

4

Devan

OFFICE OF THE ~~GOVERNMENT~~ OF MYSORE.

No 9-5-48 / 9-11-85 Records

Dated Bangalore, 17th February 1899

From

The ~~General~~ Secretary to the Government of Mysore,

To

General & Revenue Departments.

The Registrar of the Chief Court of Mysore.

SIR,

I am directed to forward herewith for information of the Judges of the Chief Court and for communication to the prisoner Venkata undergoing sentence of death in the Bangalore Central Jail, copy of order passed by H. H. the Maharani Regent of Mysore, on the prisoner's memorial.

2. The entire records received with your letter No. 4874-190 dated the 28th January 1899 are herewith returned.

I have the honor to be,

SIR,

Your most obedient servant,

[signature]

~~General~~ Secretary.